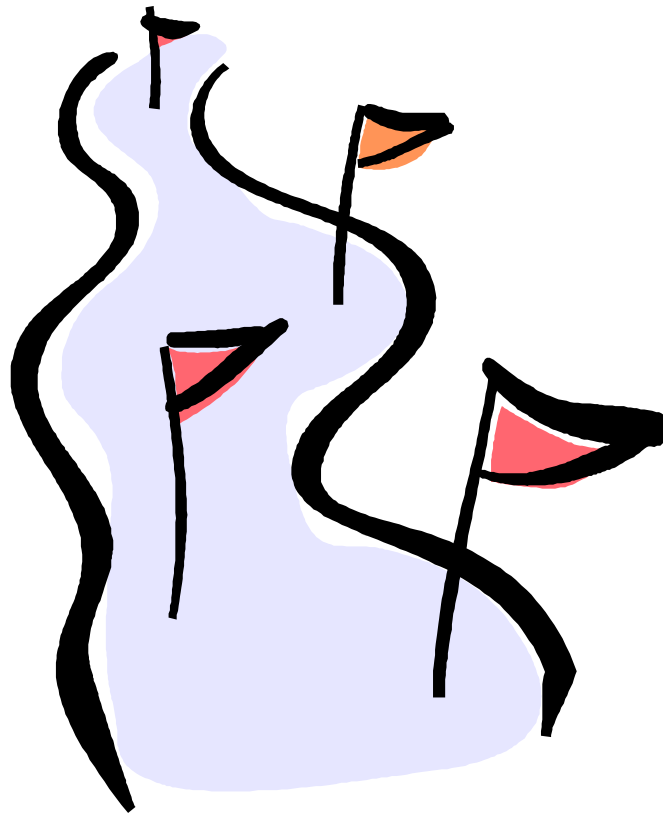


Staying on Track: *Supplement not Supplant*



“Title I Supplement **Not Supplant**”

This requirement ensures that students in Title I programs or schools receive their fair share of state and local funds.



Remember

**This requirement is VERY
case/situation specific.**

**(When in doubt, discuss it with your
ESEA/NCLB consultant.)**

Supplementing

1. Title I funds supplement the amount of funds that would, **in the absence of the Title I funds**, be made available from non-Federal sources.

This includes funds for services required by law for SWD and LEP students. *[Section 1114(a)(2)]*

2. Supplement not Supplant applies to most federal programs.

3. Title III funds must not supplant other **federal funds** as well as state and local funds.

Question to Ask to Test for Supplanting:



“What would you do in the
absence of the federal funds?”

Supplanting is presumed to occur in the following three instances:

1. The LEA uses Federal funds to provide services required under other Federal, State or local law.



Common Example:

Paying teachers with Title funds when state law would require those teachers to meet maximum class size or average class size for a grade level unit.

Example:

State Law mandates an after school program for all elementary schools and the LEA pays for it with Title I funds.



Possible rebuttal: If the state provides no funds for the mandated program, an exception can be made to the presumption of supplanting.

Next Presumption of Supplanting:

2. The LEA uses Federal funds for services that it provided with non-Federal funds in the immediate prior years.



Example:

The LEA has an instructional facilitator at a Title I school. State/local funds paid for this position last year, but Title I is paying for the position this year.



Possible Rebuttal: The LEA has budgetary documentation of declining resources and minutes of the Board's vote to eliminate the position prior to the decision to use Title funds.

Next Presumption of Supplanting

3. The LEA uses Title I funds for services for eligible children that it provides with non-Federal funds for other children.



Example :

- An LEA has a district-wide reading program, including a reading specialist in each school. The district uses GP funds for the specialists at the non-Title I schools and Title I funds for these positions in the Title I schools.



Possible Exception:

Programs funded with supplemental state & local funds may be excluded from supplement, not supplant if the program is Title I-Like in a non-Title I school that meets the following criteria:

1. has 40% poverty
2. uses the program for genuine districtwide whole school reform (**NOT just an isolated activity**)
3. focuses on students most at risk
4. uses state assessment to evaluate effectiveness

Must watch Maintenance of Effort!

It's very hard to document after-the-fact!



Before You Spend Stop and Think:



- State & Local funds must be used without consideration of Title I funds.
- Title funds are in addition, on top of, what the Title I school would normally receive.

Scenario I:

- The LEA provides each teacher a laptop to use in preparing lessons using on-line resources, etc .
- The LEA uses local funds for the laptops at the non-Title I Schools and Title I funds at the Title I schools in order to have enough funds.

Is there a presumption of supplanting? If so, which one? Is there a possible rebuttal?

Which Presumption of Supplanting?

- 1.The LEA uses Federal funds to provide services required under other Federal, State or local law.
- 2.The LEA uses Federal funds for services that it provided with non-Federal funds in the immediate prior years.
- 3.The LEA uses Title I funds for services for eligible children that it provides with non-Federal funds for other children.

Scenario II

- After school tutoring is provided with Title I funds at the Title I schools. The LEA provides tutoring for the other schools with state and local funds.
- **Is there a presumption of supplanting? ? If so, which one? Is there a possible rebuttal?**

Which Presumption of Supplanting?

- 1.The LEA uses Federal funds to provide services required under other Federal, State or local law.
- 2.The LEA uses Federal funds for services that it provided with non-Federal funds in the immediate prior years.
- 3.The LEA uses Title I funds for services for eligible children that it provides with non-Federal funds for other children.

Scenario III

- Title I funds pay stipends for teachers from the Title I schools to attend summer workshops.
- Title IIA funds pay for the teachers from non-Title I schools to attend summer workshops.
- The workshops are not part of any required PD.

Is there a presumption of supplanting? ? If so, which one? Is there a possible rebuttal?

There is not a presumption of supplanting since the Title I ‘supplement not supplant’ requirement does not apply to other federal funds.

